

OS-27-05

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PATENT
Customer No. 22,852
Attorney Docket No. 9131.0020-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
OVERBY, Johan D. et al.) Group Art Unit: 2862
Application No.: 10/759,747) Examiner: AURORA, Reena
Filed: January 15, 2004)
For: METHOD AND APPARATUS FOR DIGITAL) Confirmation No.: 6889
DETECTION OF ELECTRONIC MARKERS)
USING FREQUENCY ADAPTION)

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of the listed foreign document is attached. Copies of the U.S. patents and patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or

constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Gary J. Edwards
Reg. No. 41,008

Dated: May 25, 2005

**EXPRESS MAIL LABEL NO.
EV 724128120 US**

MAY 25 2005

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

1

Complete if Known

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|------------------------|------------------|
| Application Number | 10/759,747 |
| Filing Date | January 15, 2004 |
| First Named Inventor | OVERBY, Johan D. |
| Art Unit | 2862 |
| Examiner Name | AURORA, Reena |
| Attorney Docket Number | 9131.0020-00 |

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

| Examiner Initials | Cite No. ¹ | Document Number | Issue or Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-------------------|-----------------------|--|---|---|---|
| | | Number-Kind Code ² (if known) | | | |
| | | US-2002/030492 A1 | 03-14-2002 | Yanping et al. | |
| | | US-3,831,173 | 08-20-1974 | Lerner | |
| | | US-6,617,864 | 09-09-2003 | Inoue et al. | |
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Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**FOREIGN PATENT DOCUMENTS**

| Examiner Initials | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translation ⁶ |
|-------------------|-----------------------|---|--------------------------------|---|---|--------------------------|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | GB 2 247 381 A | 02-26-1992 | Sensormatic Electronics Corporation | | |
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NON PATENT LITERATURE DOCUMENTS

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|-------------------|-----------------------|---|--------------------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation ⁶ |
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|--------------------|-----------------|
| Examiner Signature | Date Considered |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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